

REMARKS

Applicant would like to thank the Examiner for the careful consideration given the present application. The application has been carefully reviewed in light of the Office action, and amended as necessary to more clearly and particularly describe the subject matter which applicant regards as the invention.

Initially, it is noted that the features of claim 2 have been incorporated into claim 1, and the features of claim 15 have been incorporated into claim 12. It is noted that, insofar as these changes do not introduce new limitations into the claims, the present amendment does not introduce new issues and does not require further search by the Examiner. It is further noted that the present amendment reduces the issues on appeal and, for at least these reasons, it is respectfully submitted that the amendment should be entered in the present application file.

Claims 1, 3, 6-8, 11-13, and 15-17 stand rejected as being anticipated by US 6,285,916 to Kadaba et al (hereinafter Kadaba). The Examiner's rejections are traversed for the following reasons.

The device according to the present invention includes a reader for reading machine-readable information associated with the package being delivered and an input system for receiving data identifying a party receiving the package. The input system is incorporated into a recipient identification reader. The recipient identification reader is adapted to read machine-readable identification. Such information may be available from magnetic strips, such as are provided on credit cards, debit cards, identification cards, etc., or may be chip cards, transponders, or the like.

Kadaba teaches a hand held data acquisition device including a scanner, an IR port, and a touch screen. Signature information may be input to the device via the touch screen. In use, the package bar code is scanned into the device using the scanner, and the recipient enters their signature via the touch screen. Kadaba, however, fails to teach or suggest a recipient identification reader that is "adapted to read machine-readable recipient identifications" as required by the present invention. Rather, and insofar as the Kadaba device teaches essentially the same subject matter as disclosed in the Background section of the present application, it is considered apparent that Kadaba is not especially relevant to patentability of the present invention as defined in claim 1.

With the Kadaba device and system, when the package is delivered to the "recipient", the delivery person scans in the package information, and then has the "recipient" sign on the pressure sensitive screen to acknowledge receipt. There is no identification of the recipient, and no indication of the actual party receiving the package. Rather, the graphical signature information, input via the pressure sensitive screen, is collected and archived and serves as confirmation of receipt by "someone" - with no independent "machine readable" verification of the recipient's identity.

Accordingly, with reference to claim 1, Kadaba fails to disclose or suggest a data acquisition device including an input device "for receiving data identifying a recipient of the object being delivered" wherein "said input system being incorporated into a recipient identification reader (3), said recipient identification reader being adapted to read machine-readable recipient identifications". Rather, Kadaba only teaches that the recipient may enter their name and signature via the

touch screen. It is respectfully submitted that signing on the touch screen is not equivalent to "receiving data identifying a recipient of the object being delivered" since there is no verification that the recipient is signing their own name. Further, entering signature information via the touch screen in no way teaches or suggests the required recipient identification reader, which is adapted to read machine-readable recipient identifications - it being noted that data input via the touch screen is not, in any way, "reading" of machine-readable identification.

It is further noted that Kadaba does not teach or suggest that the recipient identification reader is designed to read articles selected from the group consisting of magnetic cards, chip cards, and transponders, as required by claim 1. The Examiner's attention to this fact is requested.

For at least the foregoing reasons, claim 1 is not anticipated by the Kadaba reference. Reconsideration and withdrawal of the rejection of claim 1, and claims 3, 6-8, and 11 that depend therefrom, is hereby requested.

It is further submitted that the foregoing arguments provided with regard to the patentability of claim 1 are equally applicable to claim 12. More specifically, and with reference to claim 12, it is further submitted that Kadaba does not teach or suggest that "the input system is incorporated into a recipient identification reader (3) that is adapted to read machine-readable recipient identifications", as required. As noted hereinbefore, Kadaba does not teach or suggest a reader that is adapted to read machine-readable recipient identifications (i.e., magnetic cards, etc.).

Moreover, Kadaba does not teach or suggest that the "step of acquiring recipient identification information includes reading a machine readable object with the recipient identification reader". This feature of the present invention is not

disclosed by Kadaba. Accordingly, it is respectfully submitted that claim 12, and claims 13 and 15-17 that depend therefrom, are patentable over the Kadaba patent.

Notice to that effect is hereby requested.

Claims 2 (i.e., now claim 1) and 4-5 stand rejected as being unpatentable over Kadaba in view of US 5,489,773 to Kumar. The Examiner's rejections are traversed for the following reasons.

Kumar teaches a point of sale transaction device incorporating a bar code reader and a credit card reader. The Examiner proposes to combine the magnetic card reader of Kumar with the data acquisition device of Kadaba.

It is respectfully submitted that there is no motivation or suggestion in the art of record to combine the references in the manner required to arrive at the claimed invention. In determining whether references may be combined, it is important to consider the fields of the references and the claimed invention, together with the problems encountered and solved by the references as they compare to those of the invention. Kadaba is directed toward a parcel tracking system, and includes means and methods to track a package through to delivery. However, Kadaba does not teach or suggest that the recipient identification reader reads articles (magnetic cards, chip cards, transponders).

Kumar is directed toward a point of sale transaction system that essentially provides a mobile "cash register" wherein the sales clerk may conclude sales transaction in a mobile fashion. The present invention is directed toward a system that accurately identifies the person receiving a package. There is no reason, apart from the present application, to combine the references in the manner proposed by the Examiner.

For example, why would someone skilled in the art of parcel tracking systems (Kadaba) want to incorporate a credit card reader of Kumar? Kadaba does not contemplate credit card transactions, and does not discuss the desirability of accessing recipient information via a magnetic card reader. In the absence of the required suggestion or motivation in the art, it must be concluded that the present application forms the only basis for the combination of references. Accordingly, the rejection is invalid for hindsight, and must be withdrawn.

In light of the foregoing, reconsideration and withdrawal of the rejection of claims 2 (now claim 1) and 4-5 is hereby requested.

Claims 10, 14, and 18 stand rejected as being unpatentable over Kadaba in view of US 6,484,260 to Scott.

Scott is cited for teaching a personal identification device for sensing a biometric information of a user. According to Scott, a stored biometric information is compared to a sensed biometric information to identify the user.

With reference to claim 10, it is noted that Scott does not correct the deficiencies of the base Kadaba reference. For example, Scott does not teach or suggest that "the recipient identification reader is designed to read articles selected from the group consisting of: magnetic cards, chip cards, and transponders", as required. In this regard it is noted that the Scott reference is only operable to compare stored biometric information with biometric information read from the user - and does not compare such read biometric information with information stored on, and read from, a machine readable medium.

With reference to claim 14 and 18, it is further noted that Scott does not correct the deficiencies of the base Kadaba reference. In this regard the Examiner



is referred to the discussion of claim 12, provided above. With specific reference to claim 18, which depends from claim 16, it is noted that neither Kadaba nor Scott teach or suggest "acquiring information on an addressee of the package; and, confirming whether the recipient is the addressee" (it being noted that none of the cited references confirm whether the address and the recipient are the same person), including the step of "acquiring biometric information from the recipient (claim 18). Accordingly, it is noted that even if the references were combined as suggested by the Examiner, the present invention would not result.

Accordingly, claims 10, 14, and 18 are not unpatentable over the


In light of the foregoing, it is respectfully submitted that the present application is in a condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in a condition for allowance, the Examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

If there are any additional fees resulting from this communication, please charge same to our Deposit Account No. 18-0160, our Order No. COH-12726.

Respectfully submitted,

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